IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 6429 of 2005

Between:

1 G. Venkateswara Rao, S/o. Srirama Murthy,
R/o. Kothapeta Village, Kanchikacherla Mandal, Krishna District.
2 Bogineni Srinivasa Rao, S/o. Rathaiah,
R/o. Kothapeta Village, Kanchikacherla Mandal, Krishna District.
3 Kadiyala Shivakumari, W/o. Krishna Rao,
R/o. Kothapeta Village, Kanchikacherla Mandal, Krishna District.
4 Bogineni Sitharamaiah, S/o. Rathaiah,
R/o. Kothapeta Village, Kanchikacherla Mandal, Krishna District.

... PETITIONERS

AND

1 The District Level Committee for Sand Auctions, Krishna District, Zilla Parishad Compound, '
Machilipatnam, Rep. by its Chairman.
2 The District panchayat Officer-Cum-Member Convenor, district Level Committee for Sand Auctions,
Krishna District.
3 The District Collector (Panchayat Wing), Krishna District, Machilipatnam.
4 The Deputy Director, Ground Water Department,
Sitharamapuram, Vijayawada - 520 002.
5 Koya Narasimha Swamy, S/o. Venkata Krishnaiah,
R/o. Door No. 4-34, Near Post Office, Ibrahimpatnam.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents 1 to 3 in not following the recommendations of the 4th respondent made in Lr.No. 1226/Hg/SR/2004 dated 13-12-2004 and seeking to grant leasehold rights in favour of the 5th respondent to quarry sand from kothapeta Sand Reach of Kanchikacherla Mandal, Krishna District,

as illegal, violative of the provisions of the A.P. Water, Land and Trees Act 2002 and the Rules made there under apart from being violative of the Fundamental Right guaranteed under Article 21 of the Constitution of India and consequently direct the respondents 1 and 2 not to grant leasehold rights of Kothapeta Sand Reach, Kanchikacherla Mandal, Krishna District in favour of the 5th Respondent or any other person.

Counsel for the Petitioner:MR.C.V.MOHAN REDDY

Counsel for the Respondents 1 to 4: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court made the following :

ORDER:

1. Learned counsel for the petitioners seeks permission to withdraw the writ petition.

2. Permission accorded and the writ petition dismissed as withdrawn. No order as to costs.

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B.Seshasayana Redy,J

5th July, 2005.

KM

.ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Level Committee for Sand Auctions, krishna District, Zilla Parishad Compound, '
Machilipatnam, Rep. by its Chairman.
2 The District Panchayat Officer-Cum-Member Convenor, district Level Committee for Sand Auctions,
Krishna District.
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4 The Deputy Director, Gound Water Department,
Sitharamapuram, Vijayawada - 520 002.
5. 2 CCs to G.P. for Panchayath Raj and Rural Development,

High Court Buildings, Hyderabad (OUT)

6. 2 CD copies

THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

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WRIT PETITION NO : 6429 of 2005

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5th July, 2005.